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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/765,365	01/22/2001	Kotaro Nagahama	Q62489	8605

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SUGHRUE, MION, ZINN, MACPEAK & SEAS  
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Washington, DC 20037

EXAMINER

ZIA, MOSSADEQ

ART UNIT	PAPER NUMBER
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2134

DATE MAILED: 07/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/765,365

Applicant(s)

NAGAHAMA, KOTARO

Examiner

Mossadeq Zia

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 22 January 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 1.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-16 are rejected under **35 U.S.C. 102(b)** as being anticipated by Patent No. 4,720,860, Weiss.

3. Regarding claim 1, Weiss show a terminal certification system comprising:  
plurality of terminals (Weiss, col. 7, line 23-28); and  
connection apparatus connected to said terminals (telephonic transmission with modem, Weiss, col. 8, line 45-46),

wherein said connection apparatus and said plurality of terminals each includes a password controller (Weiss, col. 1, line 55-56) which changes password according to passage of time (Weiss, col. 5, line 11-15), and

wherein when said terminal tries to communicate with another terminal, said connection apparatus permits the communication if a password generated by the password controller of said terminal is in agreement with a password generated by the password controller of said connection apparatus (access control means, Weiss, col. 3, line 2-14, col. 8, line 38-40).

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4. Regarding claim 2, Weiss show claim 1 above, and further show said connection apparatus further includes:

frame transfer processing element which performs transmission/receipt of a frame to/from said network (telephonic transmission with modem, Weiss, col. 8, line 45-46);

a plurality interfaces connected said terminals, respectively (access control means, Weiss, col. 5, line 13-14, 28-30); and

a password comparator which compares a password added (Weiss, col. 3, line 8-9) to the frame transmitted (telephonic transmission inherently adds password to frame be sent, Weiss, col. 8, line 45-46) from said each terminal with the password selected by said password controller of said connection apparatus (dynamic variable define by interval of time, col. 2, line 68, col. 3, line 1-7), and

wherein when said password comparator shows an agreement of the passwords, said interface transfers the corresponding frame to said frame transfer processing element, and when said password comparator shows a disagreement of the passwords, said interface abandons the corresponding frame (inherent to authentication systems, where the user is denied access to the resource when it fails to authenticate the user, Weiss, col. 3, line 25-27 (implies failure of authentication if comparison does not take place within the same interval of time)).

5. Regarding claim 3, Weiss show claim 1 above, and further show password controller includes:

password storing memory which stores a plurality passwords (Weiss, col. 3, line 40-45); and

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a password selector which selects one of the plurality of passwords stored in the password storing memory, and wherein said password selector changes a selection of the password according to passage of time (dynamic variable define by interval of time, Weiss, col. 2, line 68, col. 3, line 1-7).

6. Regarding claim 4, Weiss shows claim 3 above, and further show password controller further includes:

wherein when the terminal is connected to said connection apparatus, said timer of said password controller of said terminal is made to be synchronized with said timer of said password controller said connection apparatus (Weiss, col. 7, line 23-25), and said password selector changes the selection of the password in accordance with a time represented by said timer and said setting information (Weiss, col. 5, line 11-15)

a setting memory which stores setting information (Weiss, col. 3, line 39-45) indicating which password is to be used depending on time (Weiss, col. 4, line 57-60)

7. Regarding claim 5, Weiss shows claim 4 above, and further show plurality of terminals further includes:

frame transmission/receipt element which controls transmission/receipt of the frame to/from said connection apparatus (function is inherent in telephonic transmission, Weiss, col. 8, line 45-46), and

a frame assembly element which receives a password from said password controller and adds the password to the frame when the frame is transmitted to said connection apparatus (function is inherent in telephonic transmission, Weiss, col. 8, line 45-46).

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8. Regarding claim 6, Weiss shows claim 5 above, and further show frame assembly element further receives password selection time from said password controller, and adds the password and the password selection time to a frame to be transmitted said connection apparatus (telephonic transmission inherently adds password to frame be sent, Weiss, col. 8, line 45-46).

9. Regarding claim 7, Weiss shows claim 6 above, and further show the password controller of said connection apparatus further includes an effective time storing memory which stores predetermined effective time (Weiss, col. 3, line 43-45), and

wherein if a difference between a time represented by said timer and said password selection time is within the effective time, said password selector selects a password to be used, based on said password selection time and said setting information, and if the difference between represented by said timer and said password selection time is equal to the effective time or more, said password selection sector a password to be used, based on the time represented by said timer of said connection apparatus and said setting information (Weiss, col. 3, line 5-14).

10. Regarding claim 8, Weiss shows claim 1 above and further show password controller includes:

an algorithm storing memory which stores plurality password generation algorithms (Weiss, col. 3, line 43-45); and

password generation element which selects one of said plurality of password generation algorithms stored in the algorithm storing memory, and which generates a password with the selected password generation algorithm ("predetermined algorithm" is

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interpreted as selecting an algorithm before passwords are generated, Weiss, col. 4, line 21-24),

wherein said password generation element changes the password generation algorithm accordance with passage of time, and generates a password (Weiss, col. 1, line 46-51).

11. Regarding claim 9, Weiss show claim 8 above, and further show password controller further includes:

a timer (digital clock, Weiss, col. 5, line 1); and

a setting memory which stores setting information indicating which password generation algorithm is used depending time (Weiss, col. 3, line 40-41, col. 4, line 58-59), and

wherein said timer of said password controller said terminal is made to be synchronized with said timer of said password controller said connection apparatus when said terminal connected to said connection apparatus, and said password generation element selects a password generation algorithm (another predetermined algorithm, Weiss, col. 5, line 9-10) in accordance with a time represented by said timer and said setting information, thus generating a password (Weiss, col. 3, line 25-27).

12. Regarding claim 10, Weiss show claim 8 above, and further show each of said plurality of password generation algorithms generates a different password in accordance with the time represented by said timer (Weiss, col. 5, line 11-15).

13. Regarding claim 11, Weiss show a method of certifying a terminal comprising:

adding the password to a frame to be transmitted (telephonic transmission inherently adds password to frame be sent, Weiss, col. 8, line 45-46);

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transmitting the frame added the password from said terminal said connection apparatus (telephonic transmission with modem, Weiss, col. 8, line 45-46);

comparing the password (Weiss, col. 3, line 8-9 ) which is added to the transmitted frame with a password selected in accordance with the time said connection apparatus (dynamic variable define by interval of time, Weiss, col. 2, line 68, col. 3, line 1-7); and

permitting the transmission of the frame if said two passwords are in agreement with each other, and prohibiting the transmission of the frame and abandoning the frame if said two passwords are not in agreement with each other (inherent to authentication systems, where the user is denied access to the resource when it fails to authenticate the user, Weiss, col. 3, line 25-27 (implies failure of authentication if comparison does not take place within the same interval of time)).

selecting a password in accordance with time of said terminal (Weiss, col. 3, line 5-14)

synchronizing times of a connection and said terminal with each other (Weiss, col. 7, line 23-28).

14. Regarding claim 12, Weiss shows claim 11 above, and further show wherein said selecting step selects one of a plurality of password generation algorithms in accordance with a time of said terminal, and generates a password based on the selected password generation algorithm (inherent in telephonic transmission. The password and selection time is data being transmitted by the frame, Weiss, col. 8, line 45-46); and

said comparing step compares the password (Weiss, col. 3, line 8-9) added to the transmitted frame with a password (telephonic transmission inherently adds password to



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transmitting the frame added the password from said terminal said connection apparatus (telephonic transmission with modem, Weiss, col. 8, line 45-46);

comparing the password (Weiss, col. 3, line 8-9 ) which is added to the transmitted frame with a password selected in accordance with the time said connection apparatus (dynamic variable define by interval of time, col. 2, line 68, col. 3, line 1-7); and

permitting the transmission of the frame if said two passwords are in agreement with each other, and prohibiting the transmission of the frame and abandoning the frame if said two passwords are not in agreement with each other (inherent to authentication systems, where the user is denied access to the resource when it fails to authenticate the user, Weiss, col. 3, line 25-27 (implies failure of authentication if comparison does not take place within the same interval of time)).

selecting a password in accordance with time of said terminal (Weiss, col. 3, line 5-14)

synchronizing times of a connection and said terminal with each other (Weiss, col. 7, line 23-28).

14. Regarding claim 12, Weiss shows claim 11 above, and further show wherein said selecting step selects one of a plurality of password generation algorithms in accordance with a time of said terminal, and generates a password based on the selected password generation algorithm (inherent in telephonic transmission. The password and selection time is data being transmitted by the frame, Weiss, col. 8, line 45-46); and

said comparing step compares the password (Weiss, col. 3, line 8-9) added to the transmitted frame with a password (telephonic transmission inherently adds password to

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frame be sent, Weiss, col. 8, line 45-46) generated by one of a plurality of password generation algorithms (Weiss, col. 3, line 43-45) in said connection apparatus selected in accordance with the time of said connection apparatus (Weiss, col. 2, line 24-30, line 39-42).

15. Regarding claim 13, Weiss show claim 11 above, and further show said adding step further adds a selection time, at which said password is selected, to a frame to be transmitted (Weiss, col. 5, line 11-15); and

said comparing step compares the password which is added to the transmitted frame with a password selected in said connection apparatus depending on said selection time added to the transmitted frame (inherent in telephonic transmission. The password and selection time is data being transmitted by the frame, Weiss, col. 8, line 45-46).

16. Regarding claim 14, Weiss show claim 13 above, and further show one of a plurality of password with a time of said terminal, the selected password generation algorithms in accordance and generates a password based on algorithm ("predetermined algorithm" is interpreted as selecting an algorithm before passwords are generated, Weiss, col. 4, line 21-24);

said adding step adds the password and a selection time, at which said password is generated, to a frame to be transmitted (inherent in telephonic transmission. The password and selection time is data being transmitted by the frame, Weiss, col. 8, line 45-46); and

said comparing step compares the password (Weiss, col. 3, line 8-9) added the transmitted frame with a password (telephonic transmission inherently adds password to frame be sent, Weiss, col. 8, line 45-46) generated by one of, a plurality of password

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generation algorithms (Weiss, col. 3, line 43-45) in said connection apparatus selected accordance with said selection time added the transmitted frame (Weiss, col. 2, line 24-30, line 39-42).

17. Regarding claim 15, Weiss show a connection apparatus connected terminals comprising:

a password controller which changes password according passage of time (interval of time, Weiss, col. 2, line 68, col. 3, line 1); and

a password comparator which compares a password added to a frame (telephonic transmission inherently adds password to frame be sent, Weiss, col. 8, line 45-46) sent from one of said plurality of terminals (computer, Weiss, col. 2, line 65) with a password generated by said password controller (algorithm, Weiss, col. 2, line 66-67),

wherein when a frame sent from one of said plurality of terminals, said connection apparatus (access control means) permits the transmission of the frame if said password comparator indicates that the password of the frame and the password generated by said password controller are in agreement with each other (Weiss, col. 3, line 2-14).

18. Regarding claim 16, Weiss show claim 15 above, and further show said password controller includes:

password storing memory which stores a plurality of passwords (Weiss, col. 3, line 40-45); and

a password selector which selects one of the plurality of passwords stored in the password storing memory, and wherein said password selector changes a selection of the

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selector which selects one password according to passage of time (dynamic variable define by interval of time, Weiss, col. 2, line 68, col. 3, line 1-7).

***Conclusion***

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mossadeq Zia whose telephone number is 703-305-8425.

The examiner can normally be reached on Monday-Friday between 8:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Greg Morse can be reached on 703-308-4789. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mossadeq Zia  
Examiner  
Art Unit 2134

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6/25/04



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